

IDAHO STATE BOARD OF CHIROPRACTIC PHYSICIANS
BOARD MEETING
May 22, 2001

Meeting was called to order at 9:00 a.m. by Board Chair.

Roll Call: Dr. Henry West, Chair
 Dr. James Hollingsworth
 Dr. Zane Sterling
 Dr. Dennis Harper
 Sandra Averill

Others present: Thomas E. Limbaugh, Bureau Chief
 John Kersey, Chief Investigator
 Budd Hetrick, Deputy Bureau Chief
 Roger Hales, Legal Counsel
 Cherie Simpson, Secretary

Moved by Dr. Sterling that minutes be approved as submitted for January 30, 2001; March 22, 2001; and April 10, 2001. Seconded by Dr. Harper, carried.

Moved by Ms. Averill to go into executive session to discuss potential litigation. Seconded by Dr. Harper, carried.

Moved by Dr. Sterling to come out of executive session. Seconded by Ms. Averill, carried.

Moved by Dr. Sterling that a letter be drafted by Mr. Hales to candidate CHI-12201-RST stating that he is approved for licensure with the following conditions: 1. That he have another female in a room when he is adjusting any female patients and/or make sure that the adjusting is done in an open environment or with the door open in the view of another female employee or another individual observing the adjustment. 2. That he meet with the Board every six (6) months until otherwise advised. 3. The Board may retain the right to perform an on-site evaluation by a representative of the Board within the first year of licensure. Seconded by Dr. Harper, carried.

Mr. Limbaugh distributed the financial report for review and discussion. It was suggested that the Board may wish to look into increasing the cap for licensure renewal fees within the next two years. Moved by Ms. Averill that IC-54-708 be changed to raise the cap for licensure fees to \$150.00 this next session. Seconded by Dr. Harper, carried.

Moved by Ms. Averill to go into executive session to discuss potential litigation. Seconded by Dr. Sterling, carried.

Moved by Ms. Averill to come out of executive session. Seconded by Dr. Sterling, carried.

Moved by Dr. Sterling that the recommendation of Kirsten Wallace for Complaint No. CHI-P1-03-00-011 be accepted. Seconded by Ms. Averill, carried.

Ms. McGinty met with the Board regarding a request for continuing education credits that were forwarded to her office. The course dealing with home study was denied as the Board does not allow home-study courses. The material from Myosequence was reviewed. The course was denied.

Discussion was held on communications with Brad Hoaglund, the lobbyist for the Idaho Association of Chiropractic Physicians.

Mr. Hetrick distributed copies of the proposed rule changes. Discussion was held.

Ryan "Rook" Torres appeared before the Board with his legal counsel, Shane Bengoechea for a discussion on requirements for licensure. Mr. Hales will prepare the correspondence to Dr. Torres and Mr. Bengoechea within a week.

Mr. Hoaglund met with the Board in regards to proposals by the Association for consideration during the next legislative session. Topics discussed were 1) limiting manipulation to the Chiropractic profession, 2) Exemption to the acupuncture law, 3) equal access to Chiropractic care, 4) sales tax exemption for homeopathic products. The Board recommended that Mr. Hoaglund meet with Mr. Hales to plan a strategy if necessary. Questions pertaining to "Any willing provider" laws were discussed.

Break for lunch.

Meeting reconvened at 1:05 p.m.

Dr. Moldenhauer appeared before the Board to report on the Peer Review Committee. He reported that they currently had four cases with two pending. He feels one of the cases may need to come before the Board for action., but has not received any facts yet.

Documentation was discussed as it applies to peer review. Moved by Dr. Sterling that proposed rule 600.03.c.i change "Solicit to" to "Solicit or". Seconded by Dr. Harper. 2 votes of yea and 2 votes of nay with Chair voting nay to break the tie. Motion failed.

Moved by Ms. Averill that proposed rules be adopted as presented to become effective July 1, 2001. Seconded by Dr. Harper, carried.

Moved by Dr. Hollingsworth that Mr. Hales prepare a letter to Dr. Torres outlining conditions for licensure. Seconded by Dr. Harper, carried.

Moved by Dr. Harper that Mr. Hales send a letter to Dr. Hammond stating that the Board must abide by the rules as they are written. While you are qualifying for the examination you may request extensions as needed on your permit and the Board will take the request under advisement.

Correspondence was reviewed. Dr. Harper stated he would like to attend the Part IV examination and will check his schedule.

Moved by Dr. Harper that the renewal notice is approved as presented. Seconded by Ms. Averill, carried.

Moved by Dr. Harper that Dr. West be reimbursed for photocopying the documentation material for the Association meeting. Seconded by Ms. Averill, carried.

Next meeting is scheduled for August 7, 2001.

Meeting adjourned at 3:30 p.m.

BOARD APPROVED 8/7/01